

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H2/21/03
A Bill

HOUSE BILL 1230

5 By: Representative R. Smith
6 *By: Senator J. Bookout*
7

8
9 **For An Act To Be Entitled**

10 AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE
11 ARKANSAS STATE POLICE RETIREMENT SYSTEM TO *WAIVE*
12 *CERTAIN REQUIREMENTS FOR A SURVIVOR'S BENEFIT*
13 UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER
14 PURPOSES.
15

16 **Subtitle**

17 AN ACT TO AUTHORIZE THE BOARD OF
18 TRUSTEES OF THE ARKANSAS STATE POLICE
19 RETIREMENT SYSTEM TO *WAIVE CERTAIN*
20 *REQUIREMENTS FOR A SURVIVOR'S BENEFIT*
21 UNDER CERTAIN CIRCUMSTANCES.
22
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 *SECTION 1. Arkansas Code § 24-6-411(c)(2), concerning the survivor's*
27 *benefits under the State Police Retirement System, is amended to read as*
28 *follows:*

29 *(2)(A) If the member has satisfied the age and service*
30 *requirement provided for in § 24-6-404 or had acquired twenty (20) years'*
31 *actual service, then the spouse annuity shall commence immediately and be*
32 *payable for his or her life.*

33 *(B) If the member had acquired fifteen (15) years' actual*
34 *service, but had not attained age sixty-five (65), the spouse annuity shall*
35 *commence at the later of either age fifty (50) or his or her age at his or*
36 *her death and shall be payable until the earlier of his or her remarriage or*



1 death. Otherwise, the spouse annuity shall commence at the later of either
2 age sixty-two (62) or his or her age at his or her death and shall be payable
3 until the earlier of either his or her remarriage or death.

4 (C)(i) If the member is killed while in the official line
5 of duty, the board of trustees may waive the age requirements for a surviving
6 spouse who is otherwise eligible for a survivors' annuity, but whose benefit
7 has been deferred because the member's spouse did not meet the age
8 requirement in effect before July 1, 2003.

9 (ii) If waived, the members' surviving spouse is
10 eligible to commence the spouse annuity upon the effective date of this
11 subdivision (c)(2)(C) of this section.

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13 SECTION 2. The provisions of this act shall apply retroactively to
14 allow a surviving spouse who did not qualify for a benefit because the
15 member's spouse did not meet the age requirements of Arkansas Code § 24-6-
16 411(c)(2) to begin a benefit if the member was killed while in performance of
17 his or her official duties. The spouse benefit annuity shall be retroactive
18 to June 1, 2002.

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20 /s/ R. Smith
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